

Docket No.: 04110/0201116-USO
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yoshio Ishii et al.

Application No.: 10/813,558

Confirmation No.: 4103

Filed: March 29, 2004

Art Unit: 3746

For: VACUUM CONTROL SYSTEM

Examiner: L. J. Weinstein

PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(A)

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.48(a), it is respectfully requested that the inventorship of the above-identified application be corrected by deleting Kozo Shirato as an inventor. Because Kozo Shirato has refused to cooperate with the assignee of this application, submitted herewith is a Petition under Rule 183 to suspend Rule 48(a)(2) which requires a statement by him that the inventorship error occurred without deceptive intention on her part. The actual inventors of the presently claimed subject matter are Yoshio Ishii, Koji Tanemura and Toshihiko Matsumoto.

This Petition is supported by:

1. Declaration of Kozo Shirato as an inventor to be deleted (This Declaration has not been executed by Kozo Shirato);
2. Petition under 37 § C.F.R. 1.183 to suspend Rule 48(a)(2) for a Declaration from Kozo Shirato;

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3. Declaration of Yoshio Ishii (discussing the pertinent facts of Kozo Shirato's refusal to sign the Declaration of Kozo Shirato);
4. Declaration of Yoshio Ishii, Koji Tanemura and Toshihiko Matsumoto as required by 37 C.F.R. § 1.63
5. Supplemental Application Data Sheet;
6. Consent of assignee, ERC, Inc. (assignee of Yoshio Ishii, Koji Tanemura and Toshihiko Matsumoto);
7. Fee Transmittal;
8. Processing Fee Transmittal; and
9. Payment in the amount of \$130.00 covering the processing fee set forth in 37 C.F.R. § 1.17(I) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in the fee due with this submission to Deposit Account No. 04-0100.

In view of the foregoing, it is respectfully requested that the Patent and Trademark Office delete Kozo Shirato as an inventor.

Dated: February 8, 2010

Respectfully submitted,

By 

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